

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 13-33 and 37. These sheets, which include Figs. 13-33 and 37, replaces the original sheets including Figs. 13-33 and 37.

Attachment: Replacement Sheets

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-25 are currently pending, of which Claims 1-15 are withdrawn from consideration. Claim 20 has been cancelled without prejudice or disclaimer; and Claims 16, 19, 21, 22, 24, and 25 have been amended by the present amendment. The amendments to the claims are supported by the originally filed specification and do not add new matter.<sup>1</sup>

In the outstanding Office Action, the Drawings were objected to as containing informalities; Claims 18, 19, and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention; Claims 24 and 25 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and Claims 16-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,948,040 to DeLorme (hereinafter, “DeLorme”).

Applicants wish to thank the Examiner for the interview granted to Applicants’ representatives on November 24, 2009, at which time various amendment strategies to overcome the 112 rejections and art rejections were discussed, as substantially summarized hereinafter. The Examiner suggested refining the claims to add distinguishing features based on various elements and relationships between them. At the end of the discussion, no agreement was reached.

Regarding the objections to the Drawings, new Drawings have been provided herewith. Accordingly, the objections to the Drawings have been overcome.

Regarding the rejections of Claims 18, 19, and 22 under 35 U.S.C. § 112, second paragraph, it is respectfully submitted that the corresponding structure for the “analyzing

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<sup>1</sup> See, e.g., page 20, line 21 - page 21, line 12 of Applicants’ information.

means,” recited in Claims 18 and 19, is illustrated at least in Fig. 9 and the description thereof in Applicants’ specification. For example, the paragraph bridging pages 63 and 64 of Applicants’ specification describes how CPU 201 works in conjunction with RAM 209 as a means to analyze the audio information, as recited in the claims. Thus, it is respectfully submitted that the corresponding structure for the recited “analyzing means” is sufficiently described in the specification as being at least the CPU 201 working in conjunction with RAM 209.

Further, Claim 22 has been amended to clarify that the claimed communication complies with bluetooth protocol which defines a particular standard of wireless transmission, and not simply a general concept of wireless transmission.

Accordingly, based on the above discussion, Applicants respectfully request that the 35 U.S.C. § 112, second paragraph, rejections of Claims 18, 19, and 22 be withdrawn.

Regarding the 35 U.S.C. § 101 rejections of Claims 24 and 25, Claim 24 has been amended to be sufficiently tied to another statutory category, namely, the information processing apparatuses. Further, Claim 25 has been amended to be directed to a computer-readable storage medium. No new matter has been added.<sup>2</sup>

Accordingly, Applicants respectfully request that the 35 U.S.C. § 101 rejections of Claims 24 and 25 be withdrawn.

Applicants’ independent Claim 16 is directed to an information processing apparatus which a user carries along with another first information processing apparatus, the information processing apparatus comprising:

first communication means for receiving user information, which is the information concerning the user, from the first information processing apparatus;

second communication means for receiving accumulated information accumulated in another second

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<sup>2</sup> See, e.g., page 74, lines 8-21 of Applicants’ specification.

information processing apparatus from the second information processing apparatus ***without registering the user information with the second information processing apparatus***; and

selecting means for selecting, ***based on the user information***, presentation information, which is information to be presented to the user, from the accumulated information, wherein

the first communication means transmits the presentation information selected by the selecting means to the first information processing apparatus,

the accumulated information includes information of articles sold in a shop,

the selecting means selects, based on the user information, article information associated with an article expected to be desired by the user from the information of articles sold in the shop, and

the first communication means transmits the article information of the selected article to the first information processing apparatus. [Emphasis Added]

Claim 1 clarifies that the first communication means receives user information from the first information processing apparatus, the second communication means receives information of articles sold in a shop from the second information processing apparatus ***without registering the user information with the second information processing apparatus***, and the selecting means selects, ***based on the user information***, article information associated with an article expected to be desired by the user from the articles sold in the shop.

The Office Action generally associates the previously claimed features with the TRIPS system described in DeLorme.<sup>3</sup>

As discussed during the interview, DeLorme describes that, first, a user selects and registers a route with the TRIPS system, which then executes travel arrangements for the

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<sup>3</sup> See Office Action dated September 16, 2009, page 12.

route registered by the user.<sup>4</sup> Therefore, in DeLorme, the user is required to select and register route information (i.e., user information) with the TRIPS system before the TRIPS system can execute travel arrangements for the route registered by the user.

However, there is no disclosure in DeLorme that TRIPS system can execute travel arrangements for a route selected by the user without the user-selected route being registered with the TRIPS system. Further, since DeLorme is directed to a travel reservation and planning system, Applicants submit that DeLorme's TRIPS system **cannot** execute travel arrangements for a route selected by the user without the user-selected route being registered with the TRIPS system.

Thus, DeLorme does not disclose or suggest the receiving of accumulated information accumulated in another second information processing apparatus from the second information processing apparatus without registering the user information with the second information processing apparatus, as clarified in Claim 16.

Please note that the above discussion regarding independent Claim 16 also applies to independent Claims 24 and 25 because these claims recite features analogous to the features recited in Claim 16.

Accordingly, Applicants respectfully request that the 35 U.S.C. § 102(b) rejections of Claims 16-25 be withdrawn.

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<sup>4</sup> See DeLorme, Fig. 1A and the description thereof.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

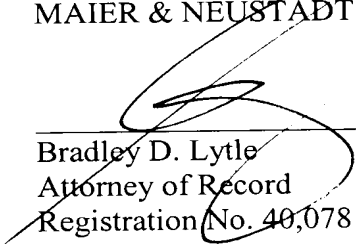
Respectfully submitted,

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